



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

PLANNING BOARD MEETING MINUTES

January 21, 2020 – 6:30 p.m. – Village Hall

AGENDA ITEM

1. Call to Order

Chairman Jones called the meeting to order at 6:31 pm.

2. Determine Quorum

He verified a quorum was present.

Members Present: Kelly Cates, Chris Smith, Michael Lavelle, and John Jones

Paul Cappiello arriving late.

Members Absent: Mark Petersen and Tom Traub

3. Adoption of the Agenda

MOTION: Kelly Cates made a motion to adopt the agenda as present and seconded by Michael Lavelle.

VOTE: The motion passed unanimously.

4. Adoption of the Meeting Minutes for: 12/17/19

Planning Board made minor revisions to the meeting minutes from 12/17/19. They corrected the presenter's names David Hoffman and Buddy Edwards

MOTION: Michael Lavelle made a motion to adopt the minutes as amended and seconded by Kelly Cates.

VOTE: The motion passed unanimously.

5. Public Comment Period

There were no public comments.

NEW BUSINESS ITEMS

1. Discussion of Planning Board Training, Homework, and Distribution of Rules of Procedures

Members were not aware that the date January 27th was selected.

2. Update on Council Liaison to Planning Board

Bob was introduced, and his role, with Kim's role explained in comparison

3. Discussion of Public Comments from the Village Council Meeting on 1/14/20 and Impacts on the Land Use Plan

We can look at a village wide study, within our authority

Tie in the PRG Master Plan with the Land Use Plan

4. Update on Joint Meeting Date with Council

Action Item: Send Doodle Poll with March dates

5. Discussion of Four (4) Planning Board Seats with Expiring Terms of 3/1/2020

There are four seats that will expire on 3/1/2020: John Jones, Michael Lavelle, Tom Traub and Mark Petersen. Mr. Jones and Mr. Lavelle requested to be reappointed while Mr. Traub and Mr. Petersen were not present to give a response.

6. Update Planning Board Rules of Procedure

Planning Board members reviewed and discussed the proposed changes to their Rules of Procedure.

MOTION: Paul Cappiello made a motion to approve the amended the Rules of Procedure as presented with the one change to strike the word MailChimp and replace it with Resident email list.

VOTE: The motion passed unanimously.

7. Discussion of New Statement of Economic Interest and Code of Ethics Policies

Staff presented the new Statement of Economic Interest and Code of Ethics Forms adopted by Council for members to review. Members are to fill out and sign the forms and return them to the Clerk by April 1st each year.

UNFINISHED BUSINESS ITEMS

1. Discussion of Definition of “Dwelling” Ordinance

Mr. Rohit Ammanamanchi presented his staff report. *(See attached Staff Report is hereby incorporated as reference into these minutes)* He requested that Planning Board review and consider the text amendment to §151.016 DEFINITIONS OF THE SPECIFIC TERMS AND WORDS and provide a recommendation to Council.

Planning Board discussed this item in depth.

Planning Board requested guidance from Council on the following issues related to the “Dwelling” Ordinance:

- Mother-in-law suites
- Air BNB’s
- Elderly Care Home

Planning Board members agreed by consensus to fix the ordinance already in place and then, amend them to allow dwellings on larger acreage homes.

2. Discussion of Stormwater Ordinance

Mr. Rohit Ammanamanchi presented his staff report. *(See attached Staff Report is hereby incorporated as reference into these minutes)* He recommended to the Planning Board to adopt NCDEQ’s requirements for stormwater detention if the impervious built-upon exceeds 24% of the disturbed area, and that single-family homes can be exempt only if they are not part of a “common place development.”

Planning Board discussed this item in depth.

MOTION: Paul Cappiello made a motion to approve subject to checking with DEQ whether or not adding the words “of the area disturbed” following the 24% subject to DEQ and striking the “s” in events and striking the “,” after 100 year; and then adding definitions of “built upon” and “disturbed area” and seconded by Kelly Cates.

VOTE: The motion passed unanimously.

Discussion of Land Use Plan

3. The Planning Board reviewed the Land Use Plan (LUP) revisions from the last meeting.

TIME STAMP: 2:30:18

The Planning Board discussed the Village Center District Section in depth.

AGENDA ITEMS

Review of Action Items

- Planning Board Members requested the Land Use Plan discussion be first on the agenda for next meeting.
- Ask Ms. Blackwell to send out a Doodle Poll with March dates for the Joint Meeting with Council.
- Ask Ms. Blackwell if the forms should be filled electronically or in paper. Resend clean copies.
- Mr. Ammanamanchi will consult with DEQ about stormwater amendments.
- Mr. Ammanamanchi will contact the National Trust of Historical Sites.
- Mr. Ammanamanchi will present examples of Site Designs and Transportation Master Plan by next meeting.

2. Board Member Comments

None

ADJOURNMENT

MOTION: Kelly Cates made a motion to adjourn the meeting at 10:03 pm.

VOTE: The motion passed unanimously.

Adopted: 2/18/2020



John E. Jones
John Jones, Chairman

Barbara R. Blackwell
Barbara R. Blackwell, NCCMC
Clerk, Village of Marvin



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TO: Planning Board

FROM: Rohit Ammanamanchi, Senior Planner/Zoning Administrator

SUBJECT: Consider Amendments to the Definition of "Dwelling, Single Family" §151.016

DATE: January 17, 2020

Background

At the 11/4/19 Planning Board meeting, the limited definition of "Dwelling, Single Family" and the issues that it causes for zoning enforcement was discussed. The issue was that "Dwelling, Single Family" was not defined clearly enough to include accessory structures. In practice, this vague definition was being used to strictly enforce a rule that there may only be one gas connection on a property to ensure that only one family may habitate the property and that no accessory structure can be built in a way that a second person or family may habitate it. However, this rule was found to be a burdensome and inaccurate way to enforce single-family habitation. Therefore, it was decided at the 11/4/19 Planning Board meeting that this zoning enforcement rule may be discontinued, and that the definition of dwelling be expanded to include accessory use structures (more succinctly referred to as appurtenances).

Current

Attached is the proposed revision of the ordinance of the definition of "Dwelling, Single Family".

Staff asks Planning Board to consider the text amendment to §151.016 DEFINITIONS OF THE SPECIFIC TERMS AND WORDS provide a recommendation to the Village Council.

§ 151.016 DEFINITIONS OF THE SPECIFIC TERMS AND WORDS.

DWELLING, SINGLE-FAMILY. A detached building designed for or occupied exclusively by one family, **which includes any out-houses and appurtenances belonging there to or usually enjoyed therewith,** but not to include mobile homes as defined by this chapter.



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TO: Planning Board

FROM: Rohit Ammanamanchi, Senior Planner/Zoning Administrator

SUBJECT: Consider Amendments to Stormwater Ordinance §150.065 / §151.062

DATE: January 17, 2020

Background

Due to budget limitations for our Village Hall site, Council has been exploring options to review and reduce the site work impacts. The site had called for two wet ponds, but Charlotte's Stormwater Ordinance (which we follow as per §150.065 / §151.062) allows not having wet ponds when the total disturbance of the site is less than 1 acre. However, Marvin's ordinance §150.065(A)(2) / §151.062(B) requires that ALL developments require stormwater detention to control runoff from 100-year storms.

The engineer for the Village Hall project, Tristan McManis with ESP, has advised on the ordinance change, with the addition to exempt developments from stormwater detention requirements if they are not "part of a Larger Common Plan". He also advised to use the word "disturb" instead of "regrade".

NC DEQ has advised to require stormwater detention if the impervious built-upon area exceeds 24% of the disturbed area, and agreed that single-family homes can be exempt only if they are not part of a "common place development".

The final revision presented would not exempt Village Hall from stormwater detention, but individual homes and other uses with less than 24% impervious area will no longer require stormwater detention.

At the 1/14/20 Council meeting, Council directed staff to take the revision back to the Planning Board for review and recommendation

Current

Attached is the proposed revision of the stormwater ordinance.

Staff asks Planning Board to consider the text amendment and provide revisions and make a recommendation to the Village Council.

§ 150.065 STORMWATER.

(A) *Stormwater drainage/stormwater detention.* The village hereby adopts and incorporates herein the provisions contained in the *Charlotte-Mecklenburg Stormwater Manual*, as amended (hereinafter referenced as the *Stormwater Manual*), with the following exceptions:

(1) Necessary deviations from the *Stormwater Manual* may be necessary to accommodate soil types found in the county and the village's subdivision and zoning regulations. When discrepancies are found between the *Stormwater Manual* and the village's zoning or subdivision regulations, the stricter regulation shall apply;

(2) In order to prevent flooding and damage to properties, all developments disturbing an acre or more of land and having impervious built-upon area exceeding 24%, excluding single-family homes not part of a common place development, shall provide stormwater detention to control the peak runoff from the two-, ten-, 25-, 50- and 100-year, 24-hour storm events to pre-development levels;

§ 151.062 STORMWATER DRAINAGE/STORMWATER DETENTION.

The village hereby adopts and incorporates herein the provisions contained in the *Charlotte-Mecklenburg Stormwater Manual*, as amended (hereinafter referenced as the *Stormwater Manual*), with the following exceptions:

(A) Necessary deviations from the *Stormwater Manual* as may be necessary to accommodate soil types found in the county, and village's subdivision and zoning regulations. When discrepancies are found between the *Stormwater Manual* and the village zoning regulations or subdivision regulations, the stricter regulation shall apply.

(B) In order to prevent flooding and damage to properties, all developments disturbing an acre or more of land and having impervious built-upon area exceeding 24%, excluding single-family homes not part of a common place development, shall provide stormwater detention to control the peak runoff from the two-, ten-, 25-, 50- and 100-year, 24-hour storm events to pre-development levels.